

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Further, if present and voting, the Senator from South Carolina (Mr. GRAHAM) would have voted "nay."

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 22 Leg.]

YEAS—51

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Hagel	Nelson (FL)
Biden	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kennedy	Rockefeller
Byrd	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Smith
Casey	Lautenberg	Snowe
Collins	Leahy	Stabenow
Conrad	Levin	Tester
Dodd	Lincoln	Webb
Dorgan	Lugar	Whitehouse
Durbin	Menendez	Wyden

NAYS—45

Alexander	Crapo	McCain
Allard	DeMint	McConnell
Barrasso	Dole	Murkowski
Bennett	Domenici	Nelson (NE)
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Grassley	Shelby
Burr	Gregg	Specter
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Thune
Coleman	Isakson	Vitter
Corker	Kyl	Voinovich
Cornyn	Lieberman	Warner
Craig	Martinez	Wicker

NOT VOTING—4

Clinton	McCaskill
Graham	Obama

The conference report was agreed to. Mr. REID. Madam President, I move to reconsider vote.

Mr. LEAHY. I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007—Resumed

Mr. REID. Madam President, I believe the regular order now is Indian Health. I would ask the Chair to report if that is in fact the case.

The PRESIDING OFFICER. That is correct.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1200) to amend the Indian Health Care Improvement Act to revise and extend that Act.

Pending:

Bingaman-Thune amendment No. 3894 (to amendment No. 3899), to amend title XVIII of the Social Security Act to provide for a limitation on the charges for contract health services provided to Indians by Medicare providers.

Vitter amendment No. 3896 (to amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service.

Brownback amendment No. 3893 (to amendment No. 3899), to acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

Dorgan amendment No. 3899, in the nature of a substitute.

Sanders amendment No. 3900 (to amendment No. 3899), to provide for payments under subsections (a) through (e) of section 2604 of the Low-Income Home Energy Assistance Act of 1981.

Mr. REID. Madam President, Senator TESTER has indicated to me that he has an amendment to work on. There are a number of people who want to offer amendments, and I think it would be to our advantage—it is not as if it is the middle of the night; it is still in the 4s—if there could be some amendments offered. We are going to work on this all day tomorrow and hopefully we can finish it Friday. If not, we are going to stay here until we finish it.

Indian health deserves this. There is no group of people in America who deserves our attention more than Indians. It is that way with the 22 different organizations in Nevada and all over the country. So I would hope we can work together.

I think we have had some success during these first few weeks of this year of Congress. We were at the White House with the President signing the stimulus bill. It is time to celebrate that. Was it everything we wanted? No. But it is good work, and we should all be proud of that.

We passed this conference report on intelligence, and the President will have to make a decision on that in the future, as to what he wants to do, but it is out of this body.

I hope we could move forward on Indian health. We have been waiting years to direct the attention to them. The attention is now directed, and with the result of what has happened here, we can spend some quality time on this matter. I hope those who wanted to offer amendments will do so. We can work into the night. I hope we can have some votes tonight. Senator DORGAN and Senator MURKOWSKI are anxious to move forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3900

Mr. SANDERS. Madam President, I wish to call up amendment No. 3900, and I ask for its immediate consideration.

The PRESIDING OFFICER. That is a pending amendment.

Mr. SANDERS. Madam President, this tripartisan amendment is being cosponsored by Senators CLINTON, OBAMA, SNOWE, COLLINS, LEAHY, SUNUNU, KENNEDY, GORDON SMITH, COLEMAN, KERRY, STABENOW, SCHUMER, LAUTENBERG, LINCOLN, KLOBUCHAR, MURRAY, CANTWELL, MENENDEZ, and DURBIN.

This amendment is simple and straightforward. At a time when home heating prices are going through the roof—and I think every Member who goes back to his or her State understands that the cost of home heating oil is soaring—people understand that in areas around this country, including the State of Vermont, the weather has been well below zero. What this amendment would do is provide real relief to millions of senior citizens on fixed incomes, low-income families with children, and people with disabilities.

Specifically, this amendment would provide \$800 million in emergency funding for the Low-Income Home Energy Assistance Program—otherwise known as LIHEAP—a program that has won bipartisan support year after year here in Congress because people know it works.

Its goal is simply stated: to keep Americans from going cold in the wintertime. It has done this for years, and we have to appropriate more money to make sure we do that again this year. Specifically, \$400 million of the \$800 million would be distributed under the regular LIHEAP formula, while the other \$400 million would be used under the emergency LIHEAP program.

This amendment has strong support not only from many Members of the Senate and Members of the House, but it has strong support from the National Governors Association, the National Conference of State Legislators, the AARP, the National Energy Assistance Directors Association, and many other groups.

Let me very briefly quote from a letter I received from the National Governors Association in support of this amendment.

Additional funding distributed equitably under this amendment will support critically needed heating and cooling assistance to millions of our most vulnerable, including the elderly, disabled and families who often have to choose between paying their heating or cooling bills and food, medicine and other essential needs.

According to the National Governors Association, this amendment will provide much needed energy assistance to at least 1 million American families—1 million. Others already receiving LIHEAP will receive more help due to the skyrocketing costs of home heating fuel.

Let me very briefly quote from a letter I recently received from the AARP. This is what the AARP says: